

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

6154 Mission Gorge Road  
(Mail: Suite 205/Enter: Suite 106)  
San Diego, California 92120-1939  
Telephone: (619) 265-5114

*File: Shell Oil*



CERTIFIED MAIL \_ RETURN RECEIPT REQUESTED

October 6, 1986

Mr. Donald J. MacDonald  
Senior Area Engineer  
Shell Oil Company  
P.O. Box 4848  
Anaheim, California 92803

Dear Mr. MacDonald:

CLEANUP AND ABATEMENT ORDER NO. 86-88, SHELL SERVICE STATION AT BROADWAY AND MOLLISON IN EL CAJON

Enclosed is a Cleanup and Abatement Order No. 86-88. This Cleanup and Abatement Order is being issued to Shell Oil Company in response to the unauthorized release of fuel from the underground storage tanks at the Shell service station located at 898 Broadway (cross street Mollison) in El Cajon. The leak resulted in the discharge of fuel to the underlying ground water. Mr. Scott Hugenberger of my staff observed ponded petroleum hydrocarbon product on the ground water in the tank excavation pit on December 5, 1985. The extent of petroleum hydrocarbon contamination resulting from the unauthorized discharge is not known at this time but in August 1985 the adjacent property owner discovered petroleum hydrocarbon soil contamination on their property.

Basically, the Cleanup and Abatement Order directs Shell Oil Company to determine the extent of contamination resulting from the fuel leak from Shell's service station and to proceed to clean up any discharge. The Order specifies quarterly monitoring requirements to monitor the progress of the site cleanup program.

This Cleanup and Abatement Order is issued to Shell Oil Company under the authority of California Water Code Section 13304. Section 13304 provides:

- (a) Any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action. Upon failure of any person to comply with such cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring such person to comply therewith. In any such suit,

the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.

- (b) The regional board may expend available moneys to perform any cleanup, abatement, or remedial work required under the circumstances set forth in subdivision (a) which in its judgment is required by the magnitude of endeavor or urgency of prompt action needed to prevent substantial pollution, nuisance, or injury to any waters of the state. Such action may be taken in default of, or in addition to, remedial work by the waste discharger or other persons, and regardless of whether injunctive relief is being sought. The regional board may perform the work itself, or by or in cooperation with any other governmental agency, and may use rented tools or equipment, either with operators furnished or unoperated. Notwithstanding any other provisions of law, the regional board may enter into oral contracts for such work, and the contracts, whether written or oral, may include provisions for equipment rental and in addition the furnishing of labor and materials necessary to accomplish the work. Such contracts shall be exempt from approval by the Department of General Services pursuant to the provisions of Section 14780 of the Government Code.
- (c) If such waste is cleaned up, the effects thereof abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any governmental agency, the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), shall be liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up such waste, abating the effects thereof, or taking other remedial action. The amount of such costs shall be recoverable in a civil action by, and paid to, such governmental agency and the state board to the extent of the latter's contribution to the cleanup costs from the State Water Pollution Cleanup and Abatement Account or other available funds.
- (d) If, despite reasonable effort by the regional board to identify the person responsible for the discharge of waste or the condition of pollution or nuisance, such person is not identified at the time cleanup, abatement or remedial work must be performed, the regional board shall not be required to issue an order under this section.
- (e) "Threaten," for purposes of this section, means a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to persons, property, or natural resources.
- (f) This section does not impose any new liability for acts occurring before January 1, 1981, if the acts were not in violation of existing laws or regulations at the time they occurred.

Amended by Stats. 1971, Ch. 1288; by stats, 1980, Ch. 808.)

(Note the authority of regional board in subsection (b) to expend available moneys to perform cleanup work when a cleanup order has been issued under subsection (a), and prompt action is needed to prevent substantial pollution or nuisance. Full authority to take all necessary action can be delegated to executive officer (Section 13223).

"Available moneys" ordinarily refers to moneys in the State Water Pollution and Abatement Account (Section 13441).

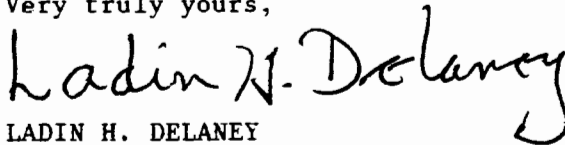
Funds made available from an outside source, such as the Federal Government, could also constitute "available moneys."

Note that authority to expend moneys for cleanup requires an exercise of judgment be in writing. A letter to the state board is needed to prevent substantial pollution." A previous phone call could ascertain whether necessary funds are available).

In order to avoid further enforcement action by the Regional Board, I strongly urge a prompt and complete response to each directive of Cleanup and Abatement Order No. 86-88. The issuance of this Cleanup and Abatement Order to Shell Oil Company will be discussed at the October 27, 1986 Regional Board meeting. This meeting is open to public participation and you are welcome to attend. It is scheduled for 9:00 a.m. in Room B109 of the State Office Building, 1350 Front Street, San Diego.

Both my staff and I will be happy to work with you toward achieving compliance with the Cleanup and Abatement Order. If you have any questions or would like to set up a meeting to discuss this matter further, please contact Mr. Scott Hugenberg at (619) 265-5114.

Very truly yours,



LADIN H. DELANEY  
Executive Officer

SHG:vn

cc: Ms. Victoria Gallagher  
Hazardous Materials Management Unit  
County of San Diego Department of Health Services  
1700 Pacific Highway  
San Diego, CA 92101

Clerical Information Form (Please check applicable information for work desired)

(THIS FORM MUST ACCOMPANY ALL WORK TO BE PROCESSED BY THE TYPISTS)

Type of Format

DUE DATE: \_\_\_\_\_

DATE SUBMITTED: 9/22/86

WDR \_\_\_\_\_ NPDES \_\_\_\_\_ Addendum \_\_\_\_\_ Resolution \_\_\_\_\_ C&D Order \_\_\_\_\_ TCO \_\_\_\_\_

Cleanup & Abatement ☒ Letterhead \_\_\_\_\_ Memo letterhead \_\_\_\_\_ Internal Memo \_\_\_\_\_

Memorandum staff report \_\_\_\_\_ C&D staff report \_\_\_\_\_ Formal staff report \_\_\_\_\_

Other \_\_\_\_\_

Word processing format ID Code \_\_\_\_\_

County Coops \_\_\_\_\_

Task Code: 120-341

File Designation: Please create Shell, Broadway + Morrison, El Cajon  
(title)

(Disch. Corr. \_\_\_\_\_ Disch. Tech. \_\_\_\_\_ General \_\_\_\_\_)

Material prepared by: SGH

For signature of: LHD

cc's to: Co Health

SPECIAL INSTRUCTIONS

Oct. 27 Board Mtg

(certified mail, return receipt, Express Mail, Federal Express, etc.)

\_\_\_\_\_ Copy of notification letter in WDS computer in-basket

\_\_\_\_\_ IF THIS IS AN EXPEDITE ITEM, PLEASE CHECK HERE AND FILL IN DATE/TIME  
REQUIRED TO BE COMPLETED  
(attach red "Expedite" tag)

FOR MATERIAL SUBMITTED FOR TYPING, PLEASE ATTACH ANY BACKGROUND MATERIAL  
AVAILABLE FOR REFERENCE.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

CLEANUP AND ABATEMENT ORDER NO. 86-88  
SHELL OIL COMPANY  
898 BROADWAY AND MOLLISON IN EL CAJON  
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. The Shell Oil Company service station located at 898 Broadway in the City of El Cajon. The site lies in the El Cajon Hydrographic Subarea of the Lower San Diego Hydrographic Subunit of the San Diego Hydrographic Unit.
2. The property adjacent to the Shell Oil Company service station at the intersection of Broadway and Mollison is owned by Skandia Scene, Commercial Real Estate Developments. In August, 1985 Skandia Scene performed some soils investigation work in preparation for the construction of an apartment complex on the property. By letter dated August 20, 1985 Skandia Scene supplied the County of San Diego Department of Health Services with a copy of some of the results of their soils investigation. A strong gasoline odor was detected in a trench at a level of about 9 to 10 feet. A soil sample was taken from this point and found to contain 10.1 mg/kg total petroleum hydrocarbons. There are no records of any gasoline use or storage on this property. The most likely potential source of the gasoline contamination appears to be the adjacent Shell service station.
3. On December 5, 1985 this office was notified by the County of San Diego Department of Health Services of an unauthorized release of petroleum hydrocarbons from the underground gasoline storage tank system at the Broadway and Mollison Shell service station. The release was detected during the removal of the underground storage tanks. It is not known how long the underground fuel storage tanks had been leaking.
4. Regional Board staff visited the site on December 5, 1985 and observed free petroleum hydrocarbon product ponded on the ground water in the tank excavation pit. Strong gasoline odors were emanating from the pit. The extent of the petroleum hydrocarbon free product plume is unknown.
5. On April 2, 1986 Regional Board staff telephoned Mr. Donald MacDonald of Shell Oil Company and requested that Shell submit information to this office concerning the extent of contamination and any cleanup action taken at the Broadway and Mollison Shell service station.
6. As of June 30, 1986 this office had not received any information from Shell Oil Company concerning the Broadway and Mollison service station. By letter to Mr. Donald MacDonald dated June 30, 1986, Regional Board staff requested that Shell Oil Company submit to this office within ten working days a report describing the extent of petroleum hydrocarbon contamination and the cleanup actions taken by Shell Oil Company at the

site. On July 22, 1986 the Regional Board office received from Shell Oil Company the Underground Storage Tank Unauthorized Release (leak)/Contamination Site Report form for the service station. The form contained no information on the extent of contamination or any cleanup actions taken by Shell Oil Company at the site.

7. The *Comprehensive Water Quality Control Plan Report, San Diego Basin (9)* (Basin Plan) was adopted by this Regional Board on March 17, 1975; approved by the State Water Resources Control Board on March 20, 1975; and updated by the Regional Board on February 27, 1978; March 23, 1981; January 24 and October 3, 1983; and August 27, 1984. The 1978, 1981, 1983 and 1984 updates were subsequently approved by the State Board.
8. The Basin Plan established the following uses as the potential and existing beneficial uses for the ground water in the El Cajon Hydrographic Subarea:
  - (a) Municipal and Domestic Supply
  - (b) Agricultural Supply
  - (c) Industrial Service Supply
  - (d) Industrial Process Supply
  - (e) Ground Water Recharge
9. The Basin Plan established the following uses as the beneficial uses for the surface waters in the Lower San Diego Hydrographic Subunit:
  - (a) Municipal and Domestic Supply
  - (b) Industrial Service Supply
  - (c) Ground Water Recharge
  - (d) Water Contact Recreation
  - (e) Non-contact Water Recreation
  - (f) Warm Fresh Water Habitat
  - (g) Cold Fresh Water Habitat
  - (h) Wildlife Habitat
  - (i) Preservation of Rare and Endangered Species
10. The quality of the ground water underlying the Shell service station at Broadway and Mollison in El Cajon is subject to the provisions of the State Water Resources Control Board's Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (hereinafter referred to as the Nondegradation Policy). Under the terms and conditions of the Nondegradation Policy, the existing (pre-discharge) ground water quality of the Lower San Diego Hydrographic Subunit must be maintained unless it is demonstrated that a decrease in water quality (1) will be consistent with maximum benefit to the people of the state, (2) will not unreasonably affect beneficial uses, and (3) will not result in water quality less than prescribed in the Basin Plan or other adopted policies.

11. Section 13050(1) of the California Water Code defines "pollution" as follows:

"Pollution means an alteration of the quality of the waters of the State by waste to a degree which unreasonably affects (1) such waters for beneficial uses, or (2) facilities which serve such beneficial uses."

12. To protect the beneficial uses listed in Finding 8, it is necessary that the ground water underlying the Shell service station site not contain constituents in concentrations exceeding the following levels:

<u>Constituent</u>	<u>Maximum Allowable Concentrations</u>
Benzene	0.67 µg/l
Toluene	14.3 mg/l
Ethylbenzene	1.4 mg/l
Total Petroleum Hydrocarbons	1.0 mg/l
Total Lead	50.0 µg/l

13. The unauthorized discharged petroleum hydrocarbons from the Shell service station has caused a "pollution" of the State's waters in that the ground water in contact with the fuel product described in Finding 4 above likely contains constituents in concentrations exceeding the levels listed in Finding 12.
14. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Administrative Code.

*IT IS HEREBY ORDERED, that* pursuant to Section 13304 of the California Water Code:

1. Shell Oil Company shall submit a report to this office no later than November 28, 1986 characterizing the vertical and horizontal extent of petroleum hydrocarbon contamination resulting from the fuel leak from the underground storage tank system at the Broadway and Mollison Shell Oil Company service station in El Cajon. The report shall include the following information:
- (a) A site map showing the location of all borings and monitoring wells, the underground tank pit and any underground utilities that might act as conduits along which the petroleum hydrocarbons might migrate.
  - (b) The water levels and fuel product thicknesses in all of the wells.
  - (c) A site map showing the hydrologic contours and the boundary of the free product and dissolved product plumes.

(d) All ground water samples should be analyzed for:

- (i) Benzene
- (ii) Toluene
- (iii) Total Xylenes
- (iv) Organic Lead
- (v) Total Petroleum Hydrocarbons
- (vi) Ethylbenzene

(e) Soil samples should be analyzed for:

- (i) Benzene
- (ii) Toluene
- (iii) Total Xylenes
- (iv) Total Petroleum Hydrocarbons

(f) A remedial action strategy proposal to clean up the effects of the illicit petroleum hydrocarbon discharge from the Shell service station. The proposed strategy should address the removal and/or treatment of the free product plume, the dissolved product plume, and the soil contamination.

2. Shell Oil Company shall take:

- (a) Effective remedial action to immobilize the free product plume and the dissolved product plume of petroleum hydrocarbon contaminated ground water.
- (b) Effective remedial action to protect the beneficial uses of the ground water of the El Cajon Hydrographic Subarea of the Lower San Diego Hydrographic Subunit.
- (c) Effective remedial action to remove all free petroleum hydrocarbon product from the affected ground water.

3. Shell Oil Company shall submit monitoring reports to this office on a quarterly basis until, in the opinion of the Regional Board Executive Officer, the site has been cleaned up. The monitoring reports shall describe the progress made in the cleanup operations and shall demonstrate that the petroleum hydrocarbon waste released from the Shell Oil Company service station has been and remains immobilized. The quarterly monitoring reports shall include, but not be limited to, the following information:

- (a) Quantity of petroleum hydrocarbon product recovered for the quarter and the total to date.
- (b) Quantity of ground water extracted for the quarter, the total to date, and its ultimate disposal point.
- (c) The water levels and product thicknesses in all of the wells.



- (d) Any information necessary to demonstrate that the petroleum hydrocarbon contamination resulting from the unauthorized release from the underground tank system at the Shell Service Station is fully contained and immobilized.
- (e) A map of the site with hydrologic contours showing the ground water flow pattern and the locations of all of the wells.
- (f) A map of the site showing the boundary of the free petroleum hydrocarbon product plume and also of the dissolved product ground water plume.
- (g) All ground water samples should be analyzed for total petroleum hydrocarbons. At least one ground water sample within the contamination plume should be analyzed for:
  - (1) Benzene
  - (2) Toluene
  - (3) Total Xylenes
  - (4) Ethylbenzene
  - (5) Total Petroleum Hydrocarbons
  - (6) Total Phenols
  - (7) Total Lead
- (h) A description of the remedial actions employed by Shell Oil Company.

The quarterly monitoring reports shall be submitted to this office in accordance with the following schedule:

<u>Reporting Period</u>	<u>Date Due</u>
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30
October, November, December	January 30

- 4. Upon direction of the Executive Officer at some point in the future, before the hazardous substance spill site cleanup program can be terminated, Shell Oil Company shall submit a report to this office identifying and developing a range of remedial action alternatives for the final phase of the cleanup program. The report shall examine and determine the cost of a cleanup strategy capable of achieving each of the following potential final cleanup levels in the affected ground water zone:
  - (a) Treatment and/or removal of the contaminated ground water to attain the naturally occurring background concentrations for the following constituents in the underlying ground water aquifer:
    - (i) Benzene
    - (ii) Toluene
    - (iii) Ethylbenzene
    - (iv) Total Xylenes
    - (v) Total Petroleum Hydrocarbons
    - (vi) Lead

This cleanup alternative represents basically complete cleanup of contamination resulting from the petroleum hydrocarbon discharge.

- (b) Treatment and/or removal of the contaminated ground water to attain the following Environmental Protection Agency and Regional Board criteria in the underlying ground water aquifer:

<u>Constituent</u>	<u>Maximum Concentration</u>
Benzene	0.67 µg/l
Toluene	14.3 mg/l
Ethylbenzene	1.4 mg/l
Total Petroleum Hydrocarbons	1.0 mg/l
Lead	50.0 µg/l

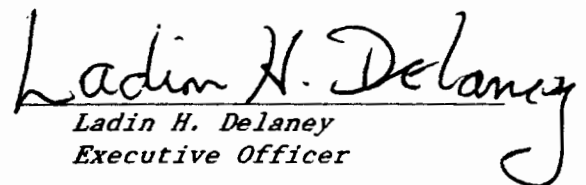
- (c) A remedial action alternative proposing the attainment of petroleum hydrocarbon concentrations less stringent than those specified in (a) and (b). This alternative concedes the affected ground water to a degraded status. It will be necessary to establish, to the satisfaction of the Regional Board, that the petroleum hydrocarbon concentrations being proposed by Shell Oil Company under this alternative would comply with the following criteria in accordance with the State's nondegradation policy:
- (1) The proposed petroleum hydrocarbon concentrations to be attained in the affected ground water contamination zone would not unreasonably affect the beneficial uses listed in Finding 8.
  - (2) The proposed petroleum hydrocarbon concentrations to be attained in the affected ground water contamination zone will be consistent with the maximum benefit to the people of the state.
  - (3) The proposed petroleum hydrocarbon concentrations to be attained in the affected ground water contamination zone will not result in water quality less than prescribed in the Basin Plan or other adopted policies.

All free petroleum hydrocarbon product must be removed under all three alternatives.

5. The cleanup alternatives required under Directive 4 of this Order will be evaluated in detail by Regional Board staff. This evaluation will include technical considerations, estimated costs, and anticipated water quality impacts associated with each alternative. Based on this evaluation a specific cleanup alternative will be selected by Regional Board staff for implementation. Upon notification by the Executive Officer, Shell Oil Company shall implement the cleanup alternative selected by Regional Board staff. If, however, Shell Oil Company wishes to implement cleanup alternative 4(a), the Company will not be required to develop

cleanup strategies corresponding to alternative 4(b) and 4(c). If Shell Oil Company wishes to implement cleanup alternative 4(b), the company will not be required develop a cleanup strategy corresponding to alternative 4(c).

6. Shell Oil Company shall remove and/or treat all contaminated soil containing Total Extractable Petroleum Hydrocarbons in concentrations exceeding 100 mg/kg, unless Shell Oil Company can demonstrate: (a) to the Regional Board staff's satisfaction that higher soil concentrations will not act as a source of petroleum hydrocarbon contaminants to the underlying ground water by, for example, infiltration and leaching processes; (b) to the County of San Diego Department of Health Services' satisfaction that higher soil concentrations will not present a threat to the public or environmental health.
7. Shell Oil Company shall dispose of petroleum hydrocarbon contaminated ground water and/or soil in accordance with all applicable local, state and federal regulations.
8. After Shell Oil Company demonstrates to the Regional Board staff's satisfaction that the final cleanup levels have been achieved throughout the soil and ground water contamination zones, Shell Oil Company shall continue to monitor the ground water and submit quarterly monitoring reports in accordance with Directive 3 of this Order for a period of one year. If at any time during this post-cleanup monitoring the data indicate that the final cleanup levels have not been maintained, Shell Oil Company shall immediately resume appropriate remedial cleanup actions. If, on the other hand, the final cleanup levels have not been exceeded for the year of monitoring, then the petroleum hydrocarbon cleanup shall be considered complete.

  
Ladin H. Delaney  
Executive Officer

October 6, 1986  
SGH:vn

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
October 27, 1986

ITEM: 11

SUBJECT: UNDERGROUND TANK CLEANUP ORDERS

- (a) Shell Oil Company, 898 Broadway, El Cajon,  
San Diego County
- (b) Chevron USA, Incorporated High Seas Tuna Station,  
Shelter Island, San Diego County
- (c) Mobil Oil Corporation, 13556 Poway Road, San Diego County

DISCUSSION: Staff will be prepared to provide the Regional Board with brief status reports concerning active or potential enforcement actions involving the subject dischargers. Informative written material has been included in this section of the agenda folder.

RECOMMENDATION: Staff will be prepared to make appropriate recommendations regarding enforcement actions based on the staff reports presented at the October 27 meeting.

DOMESTIC RETURN RECEIPT

PS Form 3811, Feb. 1986

<p>1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address.</p> <p>2. <input type="checkbox"/> Restricted Delivery.</p>		<p>3. Article Addressed to:</p> <p>Mr. Donald J. MacDonald Sr. Area Engineer Shell Oil Company P.O. Box 4848 Anaheim, CA 92803</p>	
<p>4. Article Number</p> <p>P 302 139 071</p>		<p>5. Signature - Addressee</p> <p><i>[Signature]</i></p>	
<p>6. Signature - Agent</p> <p><i>[Signature]</i></p>		<p>7. Date of Delivery</p> <p>10/20/86</p>	
<p>8. Addressee's Address (ONLY if requested and fee paid)</p> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>		<p>9. Registered <input type="checkbox"/> Insured <input type="checkbox"/></p> <p>10. Certified <input type="checkbox"/> COD <input type="checkbox"/></p> <p>11. Express Mail <input type="checkbox"/></p>	

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.

P 302 139 071

RECEIPT FOR CERTIFIED MAIL

UNITED STATES POSTAL SERVICE  
FIRST CLASS PERMIT NO. 1  
ANAHEIM, CALIF.

Donald J. MacDonald  
Shell Oil Company  
P.O. Box 4848  
Anaheim, CA 92803

10/20/86

\* VAG P.O. 1985-480714

PS Form 3800, June 1985

P 302 139 071

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

9771 Clairemont Mesa Blvd., Ste. B  
San Diego, California 92124-1331  
Telephone: (619) 265-5114

*File: UG to h*

February 20, 1987

Mr. Frank Fossatti, Engineer  
Shell Oil Company  
P. O. Box 4848  
Anaheim, California 92803

Dear Mr. Fossatti:

**SHELL OIL COMPANY RESPONSE TO DIRECTIVE 1 of ORDER NO. 86-88**

As you know, Cleanup and Abatement Order No. 86-88 was issued to Shell Oil Company in response to the unauthorized release of petroleum hydrocarbons from the underground fuel storage tanks at the Shell Service Station located at 898 Broadway in El Cajon. Directive 1 of Order No. 86-88 required Shell Oil Company to conduct an investigation of the extent of petroleum hydrocarbon contamination resulting from the unauthorized release and to submit the results of the investigation to this office by November 28, 1986. On December 1, 1986 I received a report from Shell Oil Company dated November 21, 1986 in response to Directive 1 of Order No. 86-88. The report contains the following information:

- a. Seven borings have been installed around the old underground tank pit.
- b. Soil samples were collected from the borings at depths of up to 20 feet below grade.
- c. Chemical analysis of the soil samples shows the presence of petroleum hydrocarbon contamination in concentrations of up to 1820 mg/kg total petroleum hydrocarbons.
- d. Ground water was encountered at between nine and twelve feet below grade.
- e. The borings were converted to monitoring wells and ground water samples were collected and chemically analyzed.
- f. The ground water was found to contain petroleum hydrocarbon contamination in all seven monitoring wells. The ground water contains concentrations as high as 2.7 mg/L benzene and 16.5 mg/L total petroleum hydrocarbons. No organic lead was detected in any of the wells.
- g. The highest levels of petroleum hydrocarbon contamination was found in the ground water from monitoring well no. 4. Monitoring well no. 4 is located farther from the old underground tank pit than the other monitoring wells.
- h. The direction of ground water flow is to the south-southeast.
- i. No. free petroleum hydrocarbon product has been detected on the ground water.

February 20, 1987

Although I consider Shell Oil Company to be in compliance with the due date for the report required by Directive 1 of Order No. 86-88, it is clear that the extent of petroleum hydrocarbon contamination resulting from the unauthorized release of fuel at the Shell service station has not yet been adequately characterized. Therefore, I concur with your proposal in Attachment No. 6 of the November 21, 1986 report for further investigation and the installation of additional monitoring wells.

Please submit the results of this additional investigation in a report to this office by March 30, 1987.

Concerning your remedial action proposal in Attachment #6, I have no objection to ground water extraction as the means to clean up the petroleum hydrocarbon contaminated ground water. It is necessary, of course, that the pumping rate and the number of extraction wells employed, which were not specified in the proposal, be sufficient to achieve compliance with Directive 2 of Order No. 86-88 in a timely manner. You should include with your April 30, 1987 quarterly progress report a discussion and demonstration that the extraction rate that you are employing is satisfactory.

With regard to soil contamination, this agency, in consultation with the County of San Diego Department of Health Services, have set a level of 100 mg/kg Total Petroleum Hydrocarbons as the final cleanup level that needs to be achieved in the soil at this site. It is not clear to me whether your soil venting proposal will be adequate remedial action to achieve this final cleanup level. Please include with your March 30, 1987 report a more detailed proposal for the soil cleanup, including system design and method of monitoring the soil level. If you wish to leave or treat soil on site which contains at least 100 mg/kg Total Petroleum Hydrocarbons, it will be necessary for you to submit a Report of Waste Discharge in application for a waste discharge permit from the office. The Report of Waste Discharge should be filed with this office within 90 days of the date of this letter.

Finally, let me remind you that your next quarterly monitoring report is due no later than April 30, 1987. If you have any questions or would like further information on the Report of Waste Discharge, please call Mr. Scott Hugenberg.

Very truly yours,



DAVID T. BARKER  
Senior Engineer

SGH:vn

cc: Ms. Victoria Gallagher  
Hazardous Materials Management Unit  
County of San Diego Department of Health Services

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

9771 Clairemont Mesa Blvd., Ste. B  
San Diego, California 92124-1331  
Telephone: (619) 265-5114

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

P 550 242 052

December 6, 1989

Mr. Frank Fossati  
Shell Oil Company  
511 N. Brookhurst St.  
Anaheim, California 82803

**NOTICE OF VIOLATION**  
**N89-107**

**A. BACKGROUND:**

On October 6, 1986 this Regional Board issued Cleanup and Abatement Order No. 86-88 to Shell Oil Company in response to the subsurface petroleum hydrocarbon contamination at the Shell station located at 898 Broadway Street in El Cajon, California. Order Number 86-88 requires Shell Oil Company to immobilize, delineate and cleanup the petroleum hydrocarbon contamination in the soil and groundwater to the satisfaction of the Regional Board Executive Officer.

Directive No. 1 of Order No. 86-88 states:

"Shell Oil Company shall submit a report to this office no later than November 28, 1986 characterizing the vertical and horizontal extent of petroleum hydrocarbon contamination resulting from the fuel leak from the underground storage tank system at the Broadway and Mollison Shell Oil Company service station in El Cajon. The report shall include the following information:

- (a) A site map showing the location of all borings and monitoring wells, the underground tank pit and any underground utilities that might act as conduits along which the petroleum might migrate.
- (b) The water levels and fuel product thicknesses in all of the wells.
- (c) A site map showing the hydrologic contours and the boundary of the free product and dissolved product plumes."

Directive No. 2 states:

"Shell Oil Company shall take:



- (a) Effective remedial action to immobilize the free product plume and the dissolved product plume of petroleum hydrocarbon contaminated groundwater.
- (b) Effective remedial action to protect the beneficial uses of the groundwater of the El Cajon Hydrographic Subarea of the Lower San Diego Hydrographic Subunit.
- (c) Effective remedial action to remove all free petroleum hydrocarbon product from the affected ground water."

#### B. FINDINGS:

The issuance of this Notice of Violation is based on the failure of Shell Oil Company to comply with directives 1 and 2 of Cleanup and Abatement Order No. 86-88.

The report submitted for this site by Woodward Clyde Consultants for the third quarter of 1989 has been reviewed by Regional Board Staff. The report contains information in Figure No. 2 and the analytical laboratory data which demonstrates that groundwater contamination has migrated off site in a south to south-westerly direction. The vertical and horizontal extent of this contamination has not been identified in accordance with Directive 1 of Cleanup and Abatement Order 86-88 and the dissolved product plume has not been immobilized in accordance with Directive 2.

#### C. CORRECTIVE ACTION:

Shell Oil Company is hereby requested to correct all violations forthwith and institute immediate active remedial actions in accordance with the Directives stated in Cleanup and Abatement Order No. 86-88. In order to fully delineate the vertical and horizontal extent of contamination, it will be necessary for Shell Oil Company to install additional soil borings and groundwater wells. This Regional Board office and the Hazardous Material Management Division of the County of San Diego Health Department are to be notified of the proposed location of the borings and wells prior to their installation.

#### D. CIVIL LIABILITY:

To date, the above Directives of Order No. 86-88 have not been complied with. As such, under authority of the California Water Code, Section 13350, the Regional Board may impose Civil Monetary Remedies on Shell Oil Company of up to \$5000.00 per day for each day Shell Oil Company violates Order No. 86-88. In light of the seriousness of this matter, should you fail to comply with the directives of this letter by January 31, 1990, I will not hesitate to recommend that the Regional Board issue a complaint for Civil Liability under Water Code Sections 13323 and 13350. If civil liability is imposed, liability would be assessed based on the compliance dates contained in Order 86-88.

Shell Oil

-3-

December 6, 1989

If you have any questions regarding this letter or the Cleanup and Abatement Order, contact Mr. James Munch at (619) 265-5114.

Sincerely,

Ladin H. Delaney  
Executive Officer

GB

cc: Mr. John Menatti, San Diego County HMD  
Sheila Vassey, State Board Office of Chief Counsel  
Ms. Linda Metcalf, Woodward Clyde Consultants

file: 898 Broadway Street, El Cajon

Thank you for using  
Return Receipt Service.

Is your RETURN ADDRESS  
repeated on the reverse side?

**PS Form 3811, Apr. 1989**

**Domestic Return Receipt**

**Instructions:** Complete items 1 and 2 when additional services are desired, and complete items 3, 4, 5, 6, and 7.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:  
Mr. Frank Fossati  
Shell Oil Company  
511 N. Brookhurst Street  
Anaheim, CA 92803

4. Article Number  
550 242 052

Type of Service:  
☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee  
X

6. Signature - Agent  
X *Karen Brown*

7. Date of Delivery  
DEC 12 1989

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989

DOMESTIC RETURN RECEIPT

11PT

**CERTIFIED MAIL**

P 550 242 052

PS Form 3800, June 1985

U.S.G.P.O. 1988-234-555

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED  
FOR REGISTERED MAIL  
(See Reverse)

Sent to:  
Frank Fossati

Street and No.  
511 N. Brookhurst

P.O. State and Zip Code  
Anaheim, CA 92803

Postage  
\$

Domestic Fee  
\$

Special Delivery Fee  
\$

Restricted Delivery Fee  
\$

Return Receipt showing to whom and Date Delivered  
\$

Return Receipt showing to whom, Date, and Address of Delivery  
\$

TOTAL Postage and Fees  
\$

Postmark or Date  
30 NOV 89

U.S. POSTAL SERVICE

NOTICE OF VIOLATION N89-107 FOR 898 BROADWAY